

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:18-cv-01606-TNM**

NATIONAL STUDENT LEGAL DEFENSE NETWORK v.  
 UNITED STATES DEPARTMENT OF EDUCATION  
 Assigned to: Judge Trevor N. McFadden  
 Cause: 05:552 Freedom of Information Act

Date Filed: 07/06/2018  
 Jury Demand: None  
 Nature of Suit: 895 Freedom of  
 Information Act  
 Jurisdiction: U.S. Government Defendant

**Plaintiff**

**NATIONAL STUDENT LEGAL  
 DEFENSE NETWORK**

represented by **Martha Upton Fulford**  
 NATIONAL STUDENT LEGAL  
 DEFENSE NETWORK  
 1015 15th Street NW  
 Suite 600  
 Washington, DC 20005  
 (303) 807-7343  
 Email: [martha@nsldn.org](mailto:martha@nsldn.org)  
*TERMINATED: 05/01/2019*  
**LEAD ATTORNEY**

**Alexander S. Elson**  
 NATIONAL STUDENT LEGAL  
 DEFENSE NETWORK  
 1015 15th Street NW  
 Suite 600  
 Washington, DC 20005  
 202-734-7495  
 Email: [alex@nsldn.org](mailto:alex@nsldn.org)  
*PRO HAC VICE*  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**UNITED STATES DEPARTMENT OF  
 EDUCATION**

represented by **Fred Elmore Haynes**  
 U.S. ATTORNEY'S OFFICE FOR THE  
 DISTRICT OF COLUMBIA  
 555 Fourth Street, NW  
 Washington, DC 20530  
 (202) 252-2550  
 Email: [fred.haynes@usdoj.gov](mailto:fred.haynes@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

| Date Filed | #        | Docket Text  |
|------------|----------|--|
| 07/06/2018 | <u>1</u> | COMPLAINT against UNITED STATES DEPARTMENT OF EDUCATION ( Filing fee \$ 400 receipt number 0090-5574500) filed by NATIONAL STUDENT LEGAL DEFENSE NETWORK. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Civil Cover Sheet, # <u>7</u> Summons)(Upton Fulford, Martha) (Entered: 07/06/2018) |
| 07/06/2018 | <u>2</u> | LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by NATIONAL STUDENT LEGAL DEFENSE NETWORK (Upton Fulford, Martha) (Entered: 07/06/2018)   |
| 07/06/2018 | <u>3</u> | MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Alexander S. Elson, :Firm- National Student Legal Defense Network, :Address- 1015 15th Street NW #600, Washington, D.C. 20005. Phone No. - (202) 734-7495. Filing fee \$ 100, receipt  |

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|            |          | number 0090-5574607. Fee Status: Fee Paid. by NATIONAL STUDENT LEGAL DEFENSE NETWORK (Attachments: # <u>1</u> Affidavit, # <u>2</u> Text of Proposed Order)(Upton Fulford, Martha) (Entered: 07/06/2018)  |
| 07/06/2018 |          | Case Assigned to Judge Trevor N. McFadden. (zjd) (Entered: 07/06/2018)  |
| 07/06/2018 | <u>4</u> | SUMMONS (1) Issued Electronically as to UNITED STATES DEPARTMENT OF EDUCATION. (Attachment: # <u>1</u> Notice and Consent)(zjd) (Entered: 07/06/2018)   |
| 07/06/2018 |          | MINUTE ORDER granting the <u>3</u> Motion for Leave to Appear Pro Hac Vice of Attorney Alexander S. Elson. Counsel shall promptly register for this Court's CM/ECF system. Signed by Judge Trevor N. McFadden on 7/6/2018. (lctnm2) (Entered: 07/06/2018)   |
| 07/13/2018 | <u>5</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/13/2018. ( Answer due for ALL FEDERAL DEFENDANTS by 8/12/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 07/13/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF EDUCATION served on 7/12/2018 (Attachments: # <u>1</u> Exhibit A)(Elson, Alexander) (Entered: 07/13/2018)  |
| 08/13/2018 | <u>6</u> | ANSWER to Complaint by UNITED STATES DEPARTMENT OF EDUCATION.(Haynes, Fred) (Entered: 08/13/2018)   |
| 08/15/2018 |          | MINUTE ORDER. Before the Court are a complaint and an answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the Joint Status Report on or before September 6, 2018. Signed by Judge Trevor N. McFadden on 8/15/2018. (lctnm2) (Entered: 08/15/2018) |
| 08/16/2018 |          | Set/Reset Deadlines: Joint Status Report due by 9/6/2018. (hmc) (Entered: 08/16/2018)   |
| 09/06/2018 | <u>7</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF EDUCATION. (Haynes, Fred) (Entered: 09/06/2018)  |
| 09/10/2018 |          | NOTICE OF HEARING: The parties shall take notice that a Status Conference is set for 9/26/2018, at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 09/10/2018)   |
| 09/26/2018 |          | Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference held on 9/26/2018. Parties shall file a Joint Status Report by 11/26/2018, and every two months thereafter. (Court Reporter: Patricia Kaneshiro-Miller.) (hmc) (Entered: 09/26/2018)   |
| 11/26/2018 | <u>8</u> | Consent MOTION for Extension of Time to File <i>the Parties' Joint Status Report</i> by UNITED STATES DEPARTMENT OF EDUCATION (Haynes, Fred) (Entered: 11/26/2018)  |
| 11/28/2018 |          | MINUTE ORDER granting <u>8</u> parties' Motion for Extension of Time. Upon consideration of the parties' <u>8</u> Consent Motion for Extension of Time to File Joint Status Report, it is hereby ordered that the parties shall file a Joint Status Report no later than November 30, 2018. Signed by Judge Trevor N. McFadden on 11/28/2018. (lctnm2) Modified on 11/28/2018 (hmc). (Entered: 11/28/2018)  |
| 11/28/2018 |          | Set/Reset Deadlines: Joint Status Report due by 11/30/2018. (hmc) (Entered: 11/28/2018)   |
| 11/30/2018 | <u>9</u> | Consent MOTION for Extension of Time to File <i>Joint Status Report</i> by UNITED STATES DEPARTMENT OF EDUCATION (Haynes, Fred) (Entered: 11/30/2018)   |

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| 12/06/2018 |           | MINUTE ORDER granting <u>9</u> Motion for Extension of Time to File Joint Status Report. Upon consideration of the parties' <u>9</u> Consent Motion for Extension of time, it is hereby ordered that the parties shall file a Joint Status Report on or before December 14, 2018. Signed by Judge Trevor N. McFadden on 12/6/2018. (lctnm2) (Entered: 12/06/2018)  |
| 12/06/2018 | <u>10</u> | STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 12/6/2018. (lctnm2) (Entered: 12/06/2018)  |
| 12/06/2018 |           | Set/Reset Deadlines: Joint Status Report due by 12/14/2018. (hmc) (Entered: 12/06/2018)  |
| 12/17/2018 | <u>11</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF EDUCATION. (Haynes, Fred) (Entered: 12/17/2018)   |
| 12/19/2018 |           | MINUTE ORDER. Upon consideration of the parties <u>11</u> Joint Status Report, it is hereby ordered that parties shall file a further Joint Status Report on or before January 14, 2019. Signed by Judge Trevor N. McFadden on 12/19/2018. (lctnm2) (Entered: 12/19/2018)  |
| 12/20/2018 |           | Set/Reset Deadlines: Joint Status Report due by 1/14/2019. (hmc) (Entered: 12/20/2018)   |
| 01/14/2019 | <u>12</u> | Consent MOTION for Extension of Time to File <i>the Parties' Joint Status Report</i> by NATIONAL STUDENT LEGAL DEFENSE NETWORK (Elson, Alexander) (Entered: 01/14/2019)  |
| 01/15/2019 |           | MINUTE ORDER granting <u>12</u> Plaintiff's Motion for Extension. Upon considering the Plaintiff's <u>12</u> Motion for Extension of Time to File a Joint Status Report, it is hereby ordered that the Motion is granted. The parties shall file a Joint Status Report within seven days of Congress restoring appropriations to the Department of Justice. Because the Department of Education is unaffected by the current lapse in appropriations, it is further ordered that the Department must continue to fulfill its production obligations. Signed by Judge Trevor N. McFadden on 1/15/2019. (lctnm2) (Entered: 01/15/2019) |
| 02/04/2019 | <u>13</u> | Joint STATUS REPORT by NATIONAL STUDENT LEGAL DEFENSE NETWORK. (Elson, Alexander) (Entered: 02/04/2019)  |
| 02/05/2019 |           | MINUTE ORDER. Upon considering the parties' <u>13</u> Joint Status Report, it is hereby ordered that the parties shall file a further Joint Status Report on March 1, 2019. The Joint Status Report should advise the Court of the status of the Defendant's processing of the Plaintiff's FOIA request and propose a schedule for proceeding in this matter. Signed by Judge Trevor N. McFadden on 02/05/2019. (lctnm2) (Entered: 02/05/2019)   |
| 02/05/2019 |           | Set/Reset Deadlines: Joint Status Report due by 3/1/2019. (hmc) (Entered: 02/05/2019)  |
| 02/28/2019 | <u>14</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF EDUCATION. (Haynes, Fred) (Entered: 02/28/2019)   |
| 03/01/2019 |           | MINUTE ORDER. Upon considering the parties' <u>14</u> Joint Status Report, it is hereby ordered that the parties shall file a further Joint Status Report on or before March 28, 2019. The Joint Status Report should advise the Court of the status of the Defendant's processing of the Plaintiff's FOIA request and propose a schedule for proceeding in this matter. Signed by Judge Trevor N. McFadden on 3/1/2019. (lctnm2) (Entered: 03/01/2019)  |
| 03/01/2019 |           | Set/Reset Deadlines: Joint Status Report due by 3/28/2019. (hmc) (Entered: 03/01/2019)   |
| 03/28/2019 | <u>15</u> | STATUS REPORT by NATIONAL STUDENT LEGAL DEFENSE NETWORK. (Elson, Alexander) (Entered: 03/28/2019)  |
| 04/01/2019 |           | MINUTE ORDER. Upon considering the parties' <u>15</u> Joint Status Report, it is hereby ordered that the parties shall file a further Joint Status Report on or before May 31, 2019, and every 60 days thereafter. The Joint Status Report should advise the Court of the status of the Defendant's processing of the Plaintiff's FOIA request and propose a schedule for proceeding in this matter. Signed by Judge Trevor N. McFadden on   |

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|            |           | 04/01/2019. (lctnm2) (Entered: 04/01/2019)   |
| 04/01/2019 |           | Set/Reset Deadlines: Joint Status Report due by 5/31/2019, and every 60 days thereafter. (hmc) (Entered: 04/01/2019)   |
| 05/01/2019 | <u>16</u> | NOTICE OF WITHDRAWAL OF APPEARANCE as to NATIONAL STUDENT<br>LEGAL DEFENSE NETWORK. Attorney Martha Upton Fulford terminated. (Upton<br>Fulford, Martha) (Entered: 05/01/2019) |